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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,873	02/03/2004	Atsushi Shibayama	XA-10031	9658

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

HASAN, MOHAMMED A

ART UNIT PAPER NUMBER

2873

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/769,873

Applicant(s)

SHIBAYAMA ATSUSHI

Examiner

Mohammed Hasan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4 - 7 is/are rejected.
- 7) ☒ Claim(s) 3 and 8 - 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/3/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt of acknowledged of papers submitted under 35 U.S.C. 119 (a) – (d), which papers have placed of record in the file.

Oath/Declaration

2. Oath and declaration filed on 2/3/2004 is accepted.

Information Disclosure Statement

3. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 2/3/2004 have all been considered and made of record (note the attached copy of form PTO – 1449).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 4 – 7 are rejected under 35 U.S.C 102 (b) as being anticipated by Hirakawa (5,724,193).

Regarding claim 1, Hirakawa discloses (refer to figure 1) a fisheye lens system (column 4, line 17) comprising: a first lens group having negative refractive power disposed most object side; a second lens group having positive refractive power disposed an image side the first lens group; distance between first lens group and the second lens group being variable (column 5, lines 53 – 56); wherein the fisheye lens system takes maximum focal length state when the distance minimum, and the minimum focal length state when distance maximum; wherein the maximum image height maximum focal length state is different from that the minimum focal length state (as shown in TABLE 1); and in each focal length state the fisheye lens system has an angle view of 170 degrees more (i.e., half angle of view of more than 80° then the full angle is greater than 160 degrees, column 5, lines 22 – 30).

Regarding claim 2, Hirakawa discloses, wherein the lens system can be used for a plurality cameras whose image sizes are different with each other; and wherein when the lens system attached a camera having the maximum image size in the maximum focal length state, the lens system has an angle view degrees more; and when the lens system is attached to camera having the minimum image size the minimum focal length state, the lens system has an angle of view of 170 degrees more (i.e., half angle of view of more than 80° then the full angle is greater than 160 degrees, column 5, lines 22 – 30, column 1, lines 22 – 25, TABLE 1).

Regarding claim 4, Hirakawa discloses, wherein the lens system can be used focal length state between the maximum focal length state and the minimum focal length state; and wherein upon changing the focal length state, both the lens group and the second lens group are moved (column 5, lines 53 – 63, TABLE 1).

Regarding claim 5, Hirakawa discloses, wherein upon focusing from a far object a close object, the first lens group is moved to the object (column 5, lines 53 – 63).

Regarding claim 6, Hirakawa discloses (refer to figure 1) an aperture stop (i.e., a diaphragm), wherein a distance between the most object side lens surface and the aperture stop the same in the maximum focal length state and in the minimum focal length state (column 5, lines 53 – 63, TABLE 1).

Regarding claim 7, Hirakawa discloses, wherein upon focusing from a far object close object, the first lens group and the aperture stop are moved a body the object side (column 5, lines 53 – 63).

Allowable Subject Matter

5. Claims 3, 8, 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: wherein upon changing the focal length state from the maximum focal length state to the minimum focal length state, a distance between the first lens group and the

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aperture stop is fixed, a distance between the aperture stop and the second lens group increases, and the following condition is satisfied: $1.2 < M2L / M2S$, where M2L denotes the magnification of the second lens group in the maximum focal length state, and M2S denotes the magnification of the second lens group in the minimum focal length state, and the second lens group includes a positive lens having an aspherical surface.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The closest prior art

Enomoto et al (5,877,901) discloses, a super wide-angle zoom lens system includes at least a negative first lens group and a positive second lens group in this order from an object side.

Bos (US 2001/0013973 A1) discloses, a wide angle imaging system.

King (4,429,957) discloses, panoramic zoom lens assembly.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272- 2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH
January 18, 2005


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800